

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America

v.

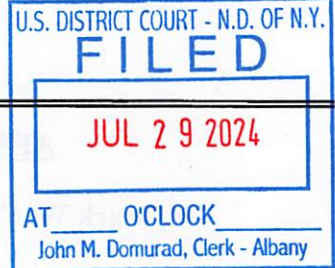
Harmish Patel,

Defendant(s)

Case No.

1:24-mj-

342 (CFH)



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/15/2023 to 03/05/2024 in the county of Rensselaer in the
Northern District of New York, the defendant(s) violated:

Code Section
 18 U.S.C. §§ 371, 2314

Offense Description
 Conspiracy to Commit Interstate Transportation of
 Property Taken By Fraud

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

#9598

Complainant's signature

Mark W. Cecilione, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

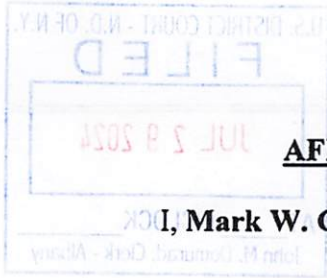
Date: 07/29/2024

Judge's signature

City and state: Albany, NY

Hon. Christian F. Hummel, U.S. Magistrate Judge

Printed name and title



AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, **Mark W. Cecilione**, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I have been a U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) Special Agent within the U.S. Department of Homeland Security since December 2019. Prior to this position, I was employed as an HSI Intelligence Research Specialist for approximately two and a half years, graduating from the Immigration and Customs Enforcement Basic Intelligence Training program in the fall of 2017. Prior to this position I was employed as a U.S. Customs and Border Protection (CBP) Officer for almost fourteen years. As such, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1).

2. As an HSI Special Agent, I have been trained in various aspects of law enforcement, including the investigation of wire fraud, transportation of goods taken by fraud, and conspiracy. I have participated in the execution of search warrants for wire fraud and other financial offenses in which contraband and proceeds thereof have been seized.

3. This affidavit is intended to show only that there is sufficient probable cause for a complaint and does not set forth all of my knowledge about this matter. The information contained in this affidavit includes information that I obtained from other law enforcement agents and officers, and from law enforcement and public records databases. The statements described in this affidavit are set forth in sum, substance, and in part. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time asserted.

4. Title 18, United States Code, Section 2314 states, in relevant part, “Whoever transports, transmits, or transfers in interstate or foreign commerce any goods, wares, merchandise, securities or money, of the value of \$5,000 or more, knowing the same to have been stolen, converted or taken by fraud; or Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person or persons to travel in, or to be transported in interstate or foreign commerce in the execution or concealment of a scheme or artifice to defraud that person or those persons of money or property having a value of \$5,000 or more [...] [s]hall be fined under this title or imprisoned not more than ten years.”

5. The elements of this offense are: (a) First, the defendant transported, transmitted, or transferred the property in interstate commerce; (b) second, the property or goods were stolen, converted, or taken by fraud; (c) third, at the time of the transportation or transmission, the defendant knew the property was stolen, converted, or taken by fraud; and (d) fourth, the value of the property was at least \$5,000.

6. Title 18, United States Code, Section 371 states, in relevant part, “If two or more persons conspire either to commit any offense against the United States, ... and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.”

7. The elements of a conspiracy under Title 18, United States Code, Section 371 are: (a) First, two or more persons entered the unlawful agreement; (b) second, the defendant knowingly and willfully became a member of the conspiracy; (c) third, that one of the members of the

conspiracy knowingly committed at least one of the overt acts; and (d) fourth, the overt acts were committed to further some objective of the conspiracy.

8. I make this affidavit in support of a criminal complaint charging Harmish Patel with a violation of 18 U.S.C. §§ 371, 2313 [Conspiracy to Commit Interstate Transportation of Property Taken By Fraud].

PROBABLE CAUSE

9. In January 2024, the United States, including HSI, began an investigation concerning a pattern of thefts of gold bullion from two victims located near Troy, New York. Patel's rental vehicles have been observed picking up the gold bullion, which was taken by fraud, from the victims. For example, he picked up gold bullion from the victims on December 15, 2023, January 4, 2024, and January 15, 2024. Patel was interviewed on April 2, 2024, and admitted he drove to Troy, New York, and received the gold bullion from the victims, and that he communicated with at least one other conspirator, including Conspirator-Z, who directed him to the pickup and transport gold bullion and cash between different States. Based on additional evidence of his knowledge of the fact that the gold bullion was taken by fraud on his phone, there is probable cause to believe that between December 15, 2023, and March 5, 2024, Harmish Patel conspired to commit interstate transportation of property taken by fraud, valued at more than \$5,000.

Couple in Brunswick, NY, Victimized in a Tech Support and Government Impersonator Scam

10. On January 19, 2024, a married elderly couple residing in Brunswick, New York, with a mailing address of Troy, New York, J.E. and E.E., reported that they were the victims of fraud to the New York State Police (NYSP).

11. According to J.E. and E.E., on December 1, 2023, they received an email they believed was from PayPal Inc. stating their PayPal account had been charged \$465.88 and will be deducted from their account within twenty-four hours. The email provided instructions to contact two telephone numbers, for customer support if they did not recognize the transaction or wanted to cancel the charges.

12. On or about December 1, 2023, J.E. contacted those numbers to report the fraudulent charge and was transferred to a person purporting to be named "Will Gannon," who claimed to be an employee with Microsoft. "Gannon" provided his contact number, and then connected J.E. with a woman named "Elizabeth Schneirov," who supposedly was an Assistant Director with the Federal Trade Commission (FTC).

13. J.E. stated that "Elizabeth Schneirov" advised him that she was from the federal government and that J.E. and E.E. had been victimized and that their social security numbers were compromised and that J.E. and E.E.'s finances were in jeopardy. Schneirov then advised J.E. that she could assist them in protecting their finances. Schneirov provided her mobile and work numbers, and her email as eschneirov@ftc.gov. Based on my review of the official FTC website, an employee by the name of Elizabeth Schneirov holds a position as Deputy Assistant Director.¹ The listed email address for Ms. Schneirov is eschneirov@ftc.gov, which does not match the email provided to J.E. and is highly suspicious and indicative of fraud and false personation of a federal employee.

14. J.E. also stated that they were informed by Schneirov that two months prior, a savings account had been opened at Chase Bank in J.E.'s name using his social security number,

¹ <https://www.ftc.gov/about-ftc/commissioners-staff/elizabeth-schneirov>

and that money had been transferred from his account. When J.E. mentioned to Schneirov that he had an account at Fidelity, Schneirov, provided the names of two individuals who were employed at Fidelity and were engaged in illegal activity. Schneirov then advised that in order for J.E. and E.E. to protect their assets, they would need to liquidate them and put them in a “locker at the treasury.” The victims believed they were speaking with real federal government employees and that what they were being told was true.

15. Schneirov’s advised J.E. to make an initial wire transfer of approximately \$102,000 from J.E.’s savings account to “Dingxi Trade Limited,” located in Hong Kong, China to purchase art. On December 5, 2023, J.E. made that wire transfer. According to J.E., when KeyBank asked about the reason for the wire transfer, J.E. told to the bank that he was “purchasing art.” The victims were sent an email that enclosed an invoice from “Orientique Fine Arts and Works of Art” showing a fee of \$102,000.09 was due on December 5, 2023, for the purchase of art. After the December 5, 2023, wire transfer, J.E. had routine calls the individual purporting to be Schneirov.

Pickup of Gold Bullion in December 2023

16. On December 7, 2023, the victim J.E. received a phone call from the individual purporting to be Schneirov, who advised J.E. to move all of his funds in other bank accounts into “gold investments,” which would then be secured in “a locker at the Treasury Department.”

17. J.E. then made arrangements to purchase gold bullion from SD Bullion, a gold and silver bullion online retailer.² Between December 2023, and January 2024, J.E. made three purchases of gold bullion online totaling more than \$1 million, as described below.

² For more information about SD Bullion, see <https://sdbullion.com/>

18. On December 7, 2023, J.E. placed an order to SD Bullion for the purchase of \$329,621.96 in gold bullion, and subsequently initiated wire transfers from bank accounts at KeyBank to pay for the gold. On December 8, 2023, SD Bullion sent J.E. an email stating that his payment had been received by bank wire, and that the order was being processed for shipping. On December 12, 2023, J.E. received an email stating that the shipment had been processed and was being sent to him via FedEx and provided tracking numbers for each of the shipments.

19. According to FedEx records, the gold bullion was sent on December 13, 2023, was delivered on December 15, 2023. J.E. informed law enforcement that he was present for and signed for the delivery of the gold bullion to his residence in December 2023.

20. After the delivery, J.E. called Schneirov, which went to voicemail. Moments later, Schneirov would immediately call him back. After the delivery of the gold bullion, Schneirov instructed J.E. to open the gold package to ensure it was all present, and then arranged with a "courier from the federal government" to pick up the gold bullion from J.E. directly. Within a few hours of the delivery of the bullion, a vehicle would arrive and pick up the box of gold from J.E.

21. According to J.E., a courier, supposedly with the U.S. government, driving a gray Mustang with New York license plate KAA-3745 picked up the first purchase of gold shortly after its delivery on or about December 15, 2023.

Pickup of Gold Bullion on January 4, 2024

22. According to J.E., on December 26, 2023, J.E. received another call from Schneirov, who advised J.E. to move more money into gold bullion investments. On December 26, 2023, J.E. placed another order online with SD Bullion for the purchase of \$133,909.97 in gold bullion and initiated another wire transfer from accounts he controlled at KeyBank to pay for the gold. On December 27, 2023, J.E. received confirmation that the payment had been received and

subsequently S.D. Bullion sent J.E. an email confirmation of the shipment of the gold bullion, which stated that the gold bullion would be sent via FedEx.

23. According to FedEx records, the gold bullion was sent on January 2, 2024, and delivered to J.E. in Troy, New York, on January 4, 2024.

24. After the delivery of the bullion on January 4, 2024, J.E. again contacted Schneirov, who again arranged for the gold bullion to be picked up by a “courier from the federal government.” Within a few hours of the delivery of the bullion, on January 4, 2024, at about 3:33 p.m., a courier, driving a Grey Tesla with a Massachusetts license plate number 2DDR46 (the “Massachusetts Tesla”), picked up the gold bullion J.E. had purchased at the instruction of Schneirov. J.E. was able to personally take a photo of the Massachusetts Tesla at the time of the pick-up, as seen in the photo below, which J.E. provided to law enforcement:



Pickup of Gold Bullion on January 15, 2024

25. According to J.E., on January 9, 2024, J.E. received another call from Schneirov, who connected J.E. with another person named “Brian Nelson,” who claimed to be representing

the "U.S. Mint" and advised J.E. that he needed to secure 60% of his assets. Based on that conversation, J.E. placed another order online with SD Bullion for the purchase of \$594,552.28 in gold bullion and initiated another wire transfer from accounts he controlled at KeyBank. On January 11, 2024, S.D. Bullion sent J.E. an email confirmation that the gold bullion had been shipped via FedEx.

26. According to FedEx records, the gold bullion was sent on January 11, 2024, and delivered to J.E. in Troy, New York, on January 15, 2024.

27. After the delivery of the bullion on January 15, 2024, according to J.E., he again contacted Schneirov, who arranged for the gold bullion to be picked up by another "courier from the federal government." Within a few hours of the delivery of the bullion, on January 15, 2024, at about 6:54 p.m., a courier, driving a Tesla bearing Illinois license plate number FP178756 ("Illinois Tesla"), picked up the gold bullion J.E. had purchased at the instruction of Schneirov. J.E. was able to personally take a photo of the Illinois Tesla at the time of the pick-up, as seen in the photo below, which J.E. provided to law enforcement:



28. According to J.E., on January 18, 2024, he again spoke with the individual purporting to be Elizabeth Schneirov to advise her that he would need his money back because they would be leaving for vacation for six weeks soon. Schneirov stated she understood and would be able to begin returning funds on Monday of the following week. The following day, on January 19, 2024, J.E. received a call from "Brian Nelson" at which time Nelson stated that if J.E. chose to end the financial relationship with the federal government, then their social security numbers and all funds would be frozen and inaccessible.

29. After that conversation, which seemed suspicious to J.E., J.E. contacted his financial advisor, who advised J.E. that he had likely been scammed and directed J.E. to contact the police. As noted above, J.E. visited the New York State Police (NYSP) that day to report the crimes under investigation.

Identification of Patel as the Driver of the Vehicles that Picked Up Gold Bullion From J.E.

30. On January 24, 2024, HSI opened an investigation to assist the NYSP with the investigation. During HSI's investigation, HSI reviewed license plate reader information associated with the three vehicles that were identified by J.E. as being driven by the courier who picked up the gold bullion he had purchased as part of the fraudulent scheme. License plate reader data shows the following:

- a. A black Ford Mustang with New York license plate KAA3745 (consistent with the vehicle identified by J.E.) was spotted in the area of Saugerties, New York at about 3:34 p.m., and in the area of New Windsor, New York at about 4:11 p.m., on December 15, 2023.
- b. A silver/grey Tesla with Massachusetts license plate 2DDR46 (consistent with the vehicle identified by J.E.) was spotted in the area of Troy, New York, between 8:13

p.m. and 8:43 p.m. on January 4, 2024, and was also spotted in New Windsor, NY, and Saugerties, NY that same day.

- c. A Tesla with Illinois license plate FP178736 (consistent with the vehicle identified by J.E.) was spotted in the area of Troy, NY, on January 15, 2024, at about 6:41 p.m.

31. Records from Hertz show the following rental information for the following three vehicles (which each match the license plates of the three vehicles identified as picking up gold bullion from J.E.):

- d. Harmish Patel, a resident of Streamwood, Illinois, rented a vehicle with NY license plate KAA3745 on December 15, 2023, from Newark International Airport in New Jersey at 11:20 a.m., and returned the vehicle to the same location on December 15, 2023, at 6:11 p.m. Hertz records show that the car drove 328 miles.³ Patel is listed with a home and billing phone 630-997-4463 and an email harmishp2018@gmail.com.
- e. Patel rented a vehicle with Massachusetts license plate 2DDR46 on January 4, 2024, at 2:52 p.m. from Albany International Airport, in Albany, New York, and returned the vehicle on January 5, 2024, at 10:30 a.m. to Newark International Airport. Hertz records show that the car drove 181 miles.
- f. Patel rented a vehicle with Illinois license plate FP178736 on January 15, 2024, at 6:41 p.m. from Albany, New York, and returned the vehicle on January 16, 2024,

³ Based on public map data, I understand that Newark International Airport is approximately 162 miles away from Troy, New York, and that a round-trip journey from Newark to Troy would be about 324 miles.

at 9:23 a.m. to Newark International Airport. Hertz records show that the car drove 265 miles.

32. Records from United Airlines, Inc. show that Harmish Patel was a passenger on flights on January 4, 2024, and January 15, 2024, originating from O'Hare International Airport, located in Chicago, Illinois, to Albany International Airport, located in Albany, New York. United records show that the booking information for both flights was associated the mobile phone with call number (630) 997-4463 and show that the billing address for Patel was in Streamwood, Illinois.⁴

33. On January 30, 2024, I met with an employee of Albany International Airport Operations to review airport surveillance footage for January 4, 2024, around the time a vehicle was rented by Patel. Via surveillance footage, I observed an individual I believe to be Patel walking in the airport. When shown the photograph during an interview on April 2, 2024, Patel acknowledged that the picture was of him.



⁴ T-Mobile records for phone number (630) 997-4463 show that the subscriber is "Nehal H Jani" with a listed address at 11 Trail Ridge Court, in Streamwood, Illinois.

Interview of Harmish Patel

34. On April 2, 2024, I interviewed Patel in Streamwood, Illinois. On April 1, 2024, during the initial contact, another HSI Special Agent informed Patel that HSI wanted to speak to Patel about a fraud investigation, and also employed a ruse and told Patel that he may have been the victim of a fraud in order to get Patel to come to speak to the agents at the Streamwood Illinois Police Department. On April 2, 2024, Patel arrived at the Streamwood Illinois Police Department to speak voluntarily with law enforcement. Before the interview began, I advised Patel he was not in custody and could leave at any time, and also showed Patel how he could exit the area the interview was taking place. Patel was seated by the open door. During the interview on April 2, 2024, which was audio and video recorded, Patel stated in sum and substance as follows:

- a. Patel stated he is currently a student and has been unemployed since 2021.
- b. Patel stated he has both a computer and a cell phone. Patel stated he uses his phone for purchases and directions when travelling.
- c. When asked about travel in the last six months, Patel stated he would travel to New Jersey, and Florida to learn about businesses such as motels, liquor stores and gas stations that are run by members of his family. He stated he has also travelled to South Carolina and other states. Patel stated that when he travels, he rents cars or gets picked up by family members.
- d. When asked about phone applications he uses, Patel stated he uses the messaging applications WhatsApp and iMessage to communicate with friends and family. Patel acknowledged he uses his phone for hotel, airfare, and rental car reservations.
- e. When asked where he travels in New Jersey, Patel stated that he has family in Atlantic City, New Jersey. When asked when he had last stayed in New Jersey,

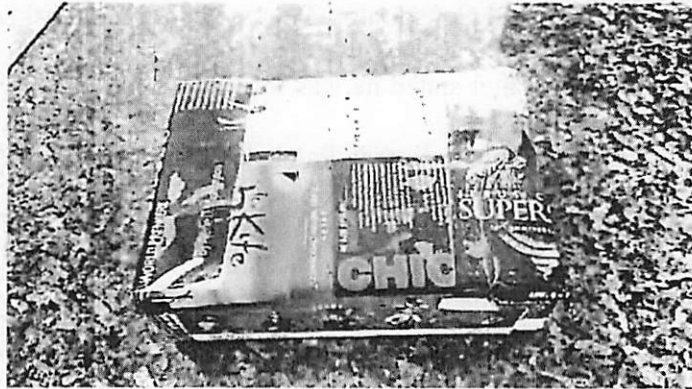
Patel stated that he had spent one night in New Jersey “a month or two ago” but denied seeing any family during that trip.

- f. When specifically asked if he had ever flown to Albany, NY, Patel initially stated he had never flown to Albany, NY. When asked how he affords the trips to fly, Patel stated he uses his credit card and is in debt and that family members help him.
- g. At this point in the interview, I disclosed to Patel that he was a subject of a fraud investigation involving Albany, New York. When asked if he had ever been asked to pick something up, Patel said, “I might have” and said a friend of his had asked him to pick up and drop something off. Patel stated that the communication was through either WhatsApp or Facebook messenger.
- h. When asked about the pick-up, Patel said he was told not to open up the box and claimed he had picked-up a smaller box that an older male had handed to him. He was then advised to deliver the box to a parking lot.
- i. When asked about the drop-off on December 15, 2023, Patel said that he dropped off the package to a location in New Jersey. Regarding the delivery of parcels he picked up, Patel claimed he would meet people in parking lots, and another time at a liquor store owned by an Indian guy.
- j. When asked how many times he had done pickups in the New York and New Jersey area, Patel stated he started doing pick-ups in 2023, maybe 1 or 2 times, but denied that they were at the same house. Patel later admitted to doing pick-ups in New York and the Schaumburg, Illinois area.
- k. Patel stated an individual identified as Conspirator-Z would communicate with him regarding the pick-up and delivery of packages through the messaging application

WhatsApp. Patel stated Conspirator-Z contacted him and asked if he could pick up a package for him. Patel stated he was told that when he showed up, he would be given a box and where to deliver it. Patel also indicated that he was directed to pick up and deliver packages from an individual in India.

- l. When asked about compensation, Patel initially stated he would receive a couple to a few hundred dollars in exchange; later in the conversation, Patel clarified that Patel was paid two thousand dollars on his last trip.
- m. When asked if he took photographs when he received the packages, Patel stated that on one occasion, he held a video call with Conspirator-Z where Conspirator-Z advised him to open the box. Patel stated it contained "valuable stuff," and then later admitted that the box contained gold bars.
- n. HSI investigators showed Patel the following two pictures, including a picture of a wrapped box and a picture of a gold bar. Patel acknowledged that he had received both and that the gold bar in the picture was consistent with what was contained in the box he opened.





- o. Patel claimed that after opening the box and seeing what was in it, he asked Conspirator-Z about it. He stated he was told that he didn't have to worry about it was not what he thought and was told that they were helping the "old person" deliver it to someone else. Patel claimed he stopped doing pick-ups after January 16, 2024, because he felt Conspirator-Z was lying to him about the reason for the pick-ups. When asked, however, Patel still delivered the package as directed. When asked, Patel denied knowing that it was the proceeds of a fraudulent scheme.
- p. When shown a picture of the home of J.E. in New York, Patel stated, "That's Troy," and stated he was there approximately 1 or 2 times. He stated he "would have to check" about whether he went there three times.
- q. When asked about other trips he had taken across the country since January 2024, including a day trip to California, Patel stated he had to give cash to a person there, but was not sure.
- r. When asked how he paid for trips he made, Patel stated that the trips expenses were paid for by the individuals he was picking up packages for.

s. When asked if there was anything he wanted to clarify or say, Patel then expressed he wanted to consult an attorney and as a result all questioning related to the criminal activity had ceased.

t. Patel's iPhone Pro Max was detained following his interview.

Another Person In Maryland Victimized in Similar Impersonator Scam

35. In March 2024, investigators have also become aware of another victim with initials M.M. living in an any active adult living community called "Leisure World" in Silver Spring, Maryland, who was victimized in a similar scheme to the couple in Brunswick, New York. On March 10, 2024, M.M. reported to the Montgomery County Police Department in Silver Spring, Maryland, that she received a phone call from someone who identified himself as "Mark Cooper" from the Office of the Inspector General of the Federal Trade Commission (FTC). M.M. was advised by "Cooper" that she was the victim of identity theft in a drug and money laundering investigation, and connected M.M. with someone named "Officer David Freeman," who was going to assist M.M. with obtaining a new social security number and to provide her with witness protection given the serious nature of the crimes involved. In my training and experience, these representations are highly suspicious and indicative of a scheme to defraud.

36. According to M.M., to ensure her cooperation with the investigation and "secure her assets," M.M. was directed to purchase gold bars from JM Bullion, which were to be turned over to FBI agents who would get the bars and place them into the U.S. Department of the Treasury. Believing what she had been told, M.M. wired \$331,817.54 from her CapitalOne Bank account ending 5512 to J.M. Bullion on February 21, 2024, to purchase five 1-kilogram gold bars. At the direction of Freeman, M.M. provided screenshot pictures from her phone to show Freeman

the delivery status of the gold bars along with other updates she received from J.M. Bullion and U.P.S.

37. On March 5, 2024, M.M. received the gold bar shipment and was directed by Freeman to meet a courier at a Walgreens parking lot located on Georgia Avenue in Silver Spring, Maryland. M.M. complied with the directions and met the courier in the parking lot and placed the box containing the gold bars into the back seat of the courier's car, who then drove away. The courier was not identified by M.M.

38. On March 6, 2024, M.M. was again directed to purchase more gold bars, and wired \$457,410.34 from the CapitalOne Bank account ending 5512 to J.M. Bullion to purchase more gold bars. The second shipment arrived on March 8, 2024, and again she met a courier at a parking lot in Silver Spring, Maryland, where she placed the gold bars into a silver Dodge Ram truck and then the driver, who she identified as a clean-shaven Asian male, drove away.

39. After the second courier pickup, M.M. realized she was being scammed and reported the theft to authorities. Through the investigation, including surveillance footage of the silver Dodge Ram truck, the Montgomery County Police Department (MCPD) identified the courier as "Wenhui Sun."

40. License plate reader records should that Wenhui Sun drove from New York toward Maryland on March 8, 2024, and returned to New York immediately thereafter.

41. M.M. stayed in communication with the suspected scammers and the MCPD investigators provided M.M. with fictitious documents to help M.M. pretend she had purchased more gold bars to lure the scammers to pick up a new shipment worth \$376,113.24 on March 18, 2024.

42. At about 7:08 PM on March 18, 2024, a black 2024 Jeep Wagoneer bearing Virginia license plate TMG8966 arrived in Silver Springs to meet M.M. to pickup the gold bullion. An undercover detective from the MCPD posed as M.M. and placed into the back seat a box that was represented to be the gold bars. The driver was identified as Sun, the same male who obtained the second package of gold bars.

43. After leaving the parking lot, Sun was stopped and arrested. Law enforcement searched Sun's vehicle and found the box the undercover officer had placed into the back seat. Sun was transported to MCPD headquarters for an interview and after being advised of his rights, Sun stated that a friend in China directed him to drive to Maryland from New York, pickup the package, and return to New York. Sun indicated that he was picking up the package free of charge because his friend asked him to. Sun admitted that he picked up the package on March 8, 2023, from M.M. Sun also admitted that he had travelled to Tennessee, Montana, New York, and Maryland, but had only picked up packages in Maryland. When Sun's property was searched, Sun had a plane ticket for a flight to California on March 18, 2024.

Search and Seizure of Harmish Patel's Cellular Device

44. On April 11, 2024, a warrant was issued by the U.S. District Court for the Northern District of New York authorizing the search and examination of Patel's iPhone Pro Max cellphone for evidence of fraud, interstate transportation of stolen property, and money laundering. During a review a the cellular device,⁵ investigators have located several items of evidentiary value that included screen shots of conversations involving gold and cash pick-ups across the United States;

⁵ Photographs and videos of the manual examination, as well as a report containing evidence derived from forensic image of Patel's cellular device are available upon the courts request.

images of dollar bills⁶ and large amounts of currency; maps with geolocation coordinates and addresses; pictures of parcels including an identified victim in Schaumburg, Illinois who has been defrauded out of approximately \$700,000; other addresses of individuals where frauds occurred or were attempted; and an identifications of a suspected co-conspirators that have since been arrested and charged for similar activities.

45. For example, investigators identified a chat conversation on Patel's iPhone Pro Max cellphone bearing cell phone number 205-367-7483, between Patel (the user of the device) and a contact labeled as "Best friend" with mobile phone number 331-234-4595. On February 17, 2024, "Best friend" and Patel had the following exchange:

<i>Phone number</i>	<i>Message</i>
331-234-4595 (Best friend)	I told him no it too far
205-367-7483 (Patel)	Tell him to contact sam (shrimad)
205-367-7483 (Patel)	Why tf is he not contacting them wtf
331-234-4595 (Best friend)	I told him to contact him
331-234-4595 (Best friend)	So we only deal with gold right?
205-367-7483 (Patel)	No
331-234-4595 (Best friend)	Oh
205-367-7483 (Patel)	We deal with both.
331-234-4595 (Best friend)	Oh
205-367-7483 (Patel)	But that's not the same guy you did last package for. So just be careful not to tell them you work for someone else too.
205-367-7483 (Patel)	Dont ever tell anybody who else you work for.


46. In my training and experience, this chat indicates that Patel and "Best Friend" are involved in picking up package and that Patel has knowledge of and is aware that the package contain both cash and gold. In addition, Patel advises "Best friend," who appears to be a subordinate to Patel, that "Best friend" should not inform the different people he works for about

⁶ The use of the serial number contained on dollar bills is used by couriers of fraudulent proceeds to verify the person they are delivering to is indeed the right person.

his business, and also directs "Best friend" to contact another conspirator named Sam a.k.a. Shrimad about other pickups.

47. The chat between Patel and "Best friend" also contained the following communications on March 5, 2024 (the day when the first courier picked up gold from M.M. in Maryland), in pertinent part:

Phone number	Message
205-367-7483 (Patel)	<p>[Image of Google maps GPS location at 39.06058, -77.04333, located in Silver Spring, Maryland]</p>
331-234-4595 (Best friend)	<p>[Google Street View Image of Leisure World, in Silver Spring, Maryland]</p>
205-367-7483 (Patel)	It's gonna be an old lady so look for one
331-234-4595 (Best friend)	Yeah
205-367-7483 (Patel)	Idk why he not sending car details
331-234-4595 (Best friend)	Password 7939
331-234-4595 (Best friend)	Navy blue and white color shirt and blue jeans
331-234-4595 (Best friend)	[Image of identification of M.M., which has been redacted below]

		
331-234-4595 (Best friend)	Hertz at Matawan NJ	
331-234-4595 (Best friend)	Look	
205-367-7483 (Patel)	Hang on. On call	
331-234-4595 (Best friend)	Hurry	
331-234-4595 (Best friend)	He said my guy will come whatever time you want Should I go 8 or 9 So 8 and head straight to airport	
205-367-7483 (Patel)	You up?	
331-234-4595 (Best friend)	Yeah	
331-234-4595 (Best friend)	My cousin sleeping	
205-367-7483 (Patel)	Oh ok nvm. Are you available to do another package like this one tomorrow?	
331-234-4595 (Best friend)	Yeah	
205-367-7483 (Patel)	Ok I'll let you know once confirmed	
331-234-4595 (Best friend)	Okay	

48. In my training and experience, during this conversation, it appears as those “Best Friend” is travelling to a pickup location at Leisure World in Silver Springs, Maryland on March 5, 2024. Patel advises him that the person from whom “Best friend” is picking up is an “old lady.” Once he arrives, “Best friend” sends a password, a description of the woman, and a copy of M.M.’s driver’s license. “Best friend” then indicates that he is travelling back to a Hertz rental location in Matawan, New Jersey to return his car and where he likely would drop off the gold bars.

49. In addition, Patel’s iPhone Pro Max contained screenshots and images with metadata indicating that they were captured on March 5, 2024, including a copy of M.M.’s

identification (the same image included in the chat identified above); a search for the nearest airport to Silver Spring; as well as an image of a flight reservation from Louisville, Kentucky (airport code SDF) to Washington DC Dulles International (airport code DCA) for Neel Patel; and an image with a large amount of cash with a filter stating, "Flexing." The airport reservation screenshot and the image of the cash is provided below.



50. Based on the above, there is probable cause to believe that Harmish Patel conspired with the individual identified as "Best friend" in his phone to pick up gold bars from the victim M.M. in Maryland and transport that gold bullion across state lines back to New Jersey.

CONCLUSION

51. Based on the foregoing, there is probable cause to conclude that Harmish Patel conspired with Conspirator-Z and "Best Friend", and others known and unknown, to transport in interstate commerce certain goods and property, including gold bullion valued above \$5,000, that

was taken by fraud. The defendant took overt acts to further the objective of the conspiracy, including by flying from Illinois to Albany, and driving and picking up gold bullion on three occasions from victims in Rensselaer County, New York. Accordingly, there is probable cause to believe that Harmish Patel violated Title 18, United States Code, Sections 371 and 2314 on between December 15, 2023, and March 5, 2024, by conspiring to knowingly transport in interstate commerce items of property taken by fraud, knowing that the property had been taken by fraud, and that property had a value of \$5,000 or more. Accordingly, I request that an arrest warrant be issued for Harmish Patel.

Attested to by:



79598

Mark Cecilione
Special Agent
Homeland Security Investigations

I, the Honorable Christian F. Hummel, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on July 29, 2024, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



HONORABLE CHRISTIAN F. HUMMEL
UNITED STATES MAGISTRATE JUDGE